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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
DANIEL JR, WILLIE J	

ART UNIT	PAPER NUMBER
2686	10

DATE MAILED: 06/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/879,316	PARK, YONG DUK	
	Examiner	Art Unit	
	Willie J. Daniel, Jr.	2686	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 April 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *04/05/2004* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Oath/Declaration

1. The objection to the Declaration is withdrawn, as the proposed Declaration correction is approved.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description:

    a. **Fig. 3** does not show (**ref. 400**) as stated on pg. 5, line 2 (original specification). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application.

The objection to the drawings will not be held in abeyance.

Regarding Fig. 3, Applicant claims a receiving device in claim 1, 4th paragraph (portions previously considered part of claims 1 and 3), which is represented by "ref. 400" on pg. 6, [0035]. Applicant illustrates the "ref. 400" as a wire in Fig. 3 that is connected in parallel with "ref. R1, R2, and C1" on one end and coupled to "ref. 420" on the other end.

Specification

3. The disclosure is objected to because of the following informalities:

    a. The disclosure and claims should be on separate pages in which both share page 6 (sub-specification) and pg. 5 (original specification).

Appropriate correction is required.

Regarding the disclosure, Applicant failed to remove "What is Claimed is:" on page 6, of the sub-specification, which was previously included in the original specification on page 5.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1 recites the limitation "said processing" in 4th paragraph, line 4. There is insufficient antecedent basis for this limitation in the claim.

Examiner interprets "said processing" as the analyzing of the signal for control of the device.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Thompson (US 5,465,401)** in view of **Pinzon (US 6,151,005)**.

Regarding **Claim 1**, Thompson discloses an apparatus for controlling a door by a mobile radio communication system (20) (see col. 15, lines 14-24; col. 6, line 44 - col. 7, line 20; col. 15, line 55 - col. 16, line 22; Figs. 1, 2, 5, and 8), where the communication device (50), a handheld cellular telephone, is used as a garage door opener within a system which is a wireless communication network operating on various radio frequencies, comprising:

a satellite transmitter/receiver (43) which reads on the claimed "transmitting device" including a power switch (PSW1) for supplying power (see col. 15,lines 15-25; col. 7, lines 29-42; col. 9, line 49 - col. 10, line 2; col. 14, line 45 - col. 15, line 25; Figs. 1, 7, and 10), where the power switch would be inherent for providing power to the satellite transmitter,

a voltage regulator (110) for maintaining a constant voltage when said power is turned on by the switch (PSW1) (see col. 15,lines 15-25; col. 7, lines 29-42; col. 9, line 49 - col. 10, line 2; col. 14, line 45 - col. 15, line 25; Figs. 1, 7, and 10), where the voltage regulator would be inherent for providing power to the satellite transmitter,

a receiver (120) for detecting DTMF signals created in response to user manipulation of buttons on the transmitting device (43) (see col. 15,lines 15-25; col. 7, lines 29-42;

Figs. 1, 2, 7, and 10), where the satellite transmitter can transmit the auditory information provided by the user of the handheld communication for operating a garage door in which the receiver would be inherent, and

a signal generator (130) capable of generating, in response to the detected auditory information which reads on the claimed "DTMF signals", control signals to unlock at a remote place a door-locking device provided for a door, said door having a locking device (see col. 15,lines 15-25; col. 7, lines 29-42; Figs. 1, 2, 7, and 10), where the satellite transmitter can transmit the auditory information provided by the user of the handheld communication for operating a garage door in which the signal generator would be inherent;

a communication device (50) which reads on the claimed "mobile radio communication terminal" connected to said transmitting device (43) through a wire for converting said control signals into wireless signals for delivery (see col. 6, lines 44-49; col. 7, lines 22-28,34-42; col. 15, lines 22-25; Figs. 1-2 and 5), where the handheld communication device connects through a wire to a satellite transmitter (43) to transmit and receive auditory information. Thompson fails to disclose having a receiving device installed within a door locking device of said door, including a door lock control means (410) for receiving the wireless signals and analyzing said wireless signals so as to generate relay control signals through a port (RAO) according to data obtained from said processing, a switching element (Q1) for carrying out switching operations according to the relay control signals output from said door lock control means (410), and a relay (RLl) for supplying power to a motor and unlocking the door when said switching element (Q1) is turned on if the analyzed signals are

door-unlocking signals. However, the examiner maintains that a receiving device installed within a door locking device of said door, including a door lock control means (410) for receiving the wireless signals and analyzing said wireless signals so as to generate relay control signals through a port (RAO) according to data obtained from said processing, a switching element (Q1) for carrying out switching operations according to the relay control signals output from said door lock control means (410), and a relay (RL1) for supplying power to a motor and unlocking the door when said switching element (Q1) is turned on if the analyzed signals are door-unlocking signals was well known in the art, as taught by Pinzon.

In the same field of endeavor, Pinzon teaches of a receiving device installed within a door locking device of said door (see col. 4, line 19 - col. 5, line 9; col. 5, line 54 - col. 6, line 18; Figs. 1, 2A, 3, 4, and 5), including

a controller (4 or 28) which reads on the claimed "door lock control means (410)" for receiving the wireless signals and analyzing said wireless signals so as to generate relay control signals through a port (RAO) according to data obtained from said processing (see col. 4, line 19 - col. 5, line 9; col. 5, line 54 - col. 6, line 18; Figs. 1 and 2A), where the controller operates the door locking mechanism (2) of the door based on the signal received in which the port would be inherent,

a switching element (Q1) for carrying out switching operations according to the relay control signals output from said door lock control means (410) (see col. 4, line 19 - col. 5, line 9; col. 5, line 54 - col. 6, line 18; Figs. 1 and 2A), where the door locking mechanisms

(2) unlocks/locks the door according to the signals from transmitted from the controller in which the switching element would be inherent, and

a OR gate (35) which reads on the claimed "relay (RLl)" for supplying power to a motor (29) and unlocking the door (1) when said switching element (Q1) is turned on if the analyzed signals are door-unlocking signals (see col. 4, line 19 - col. 5, line 9; col. 6, lines 8-30; Figs. 1 and 2A), where the signal or power is supplied to the OR gate for locking or unlocking functions.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Thompson and Pinzon to have a receiving device installed within a door locking device of said door, including a door lock control means (410) for receiving the wireless signals and analyzing said wireless signals so as to generate relay control signals through a port (RAO) according to data obtained from said processing, a switching element (Q1) for carrying out switching operations according to the relay control signals output from said door lock control means (410), and a relay (RLl)for supplying power to a motor (29) and unlocking the door when said switching element (Q1) is turned on if the analyzed signals are door-unlocking signals, in order to provide a remote door locking/unlocking system that may be used on a variety of doors, including doors for residential and commercial buildings, hotel room, vehicle, garage, office, or metal safe doors that utilizes a wireless communications network, as taught by Pinzon (see Pinzon col. 2, lines 43-65; col. 3, lines 47-54).

Response to Arguments

6. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Willie J. Daniel, Jr. whose telephone number is (703) 305-8636. The examiner can normally be reached on 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on (703) 305-4379. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

WJD,JR/wjd,jr
04 June 2004

CHARLES APPIAH
PRIMARY EXAMINER